

REMARKS

The office action dated August 7, 2006 has been carefully considered, and Applicant respectfully requests reconsideration of the application.

Amendments have made to the independent claims and new dependent claims 36 to 40 have been added.

The independent claims define an invention concerned with a checking process that may, but not necessarily will, result in clearance.

As previously stated, the cited art relates to clearance but does not involve the checking features now claimed. Nor does the cited art render the presently submitted claims obvious. There is no teaching or suggestion of the checking features claimed.

Respectfully the Examiner appears to have missed the importance of the features of the invention as now emphasized in the different claims. The Applicant has further amended the independent claims to emphasize these features.

In claim 9 as amended, the Applicant has added the features of:

- encoding a spot thereby creating an electronic spot file on a first computer system;
- assigning an identifier to the electronic spot file;
- associating the electronic spot file and identifier with a content medium;
- entering a spot count in a submission form corresponding to the content medium, the spot count corresponding to the number of electronic spot files associated with the content medium;
- entering one or more recipients of the content medium in the submission form;
- transmitting the content medium to the one or more recipients for checking;
- evaluating the electronic spot file on a second computer system; and
- transmitting feedback relating to the electronic spot file as a checking process.

These features were submitted in claim 12 in the prior amendment.

In claim 12 as now amended, the Applicant has pointed out that encoding a spot, thereby creating an electronic spot file on a first computer system, is done by the content sponsor.

In claim 22 the Applicant has claimed the method where:

- a content sponsor encodes and names a spot;
- a content creator creates the contents for the spot; and
- a content disseminator receives the created content and has clearance software for receiving the encoded spot and distributing the spot to a broadcaster clearance department.

In the various dependent claims features have been added separately being that:

- the content disseminator manages submissions from advertisers and authenticate review of the spots;
- the content disseminator manages submissions from advertisers and authenticate review of the spots; and
- the content sponsor is an entity separate and different from a content disseminator or clearance organization.

The invention as defined is clearly distinguishable over the cited art of Marotta, since Marotta is concerned with the Master Organization (Host system) 15(25) may act, if at all, to do any encoding. By contrast, in the invention as now claimed in claims 12 and 22 it is the content sponsor that effects the encoding. This methodology as claimed here is a fundamentally different approach to ensuring the checking of content before dissemination. In other words as claimed here it is the content sponsor that maintains control of the checking issues. It is not some remote host organization which controls or performs this feature. Different other aspects distinguishing these two functions are further claimed in dependent claims 36 to 38. In Marotta, the Master Organization is the hub of the operation. In the present invention as set out in claims 12 22 and respective dependent claims, it is the content sponsor.

As set out in claim 9 as amended there are the features of the spot count, the Examiner has already admitted that Marotta does not specifically teach a 'spot count'. As indicated above,

Claim 9 as amended also has many other features associated with encoding a spot. It is not remotely part of Marotta that these features are disclosed or suggested or can even be implied. Accordingly, there is no way in which these features can be considered as being rendered obvious in the light of Marotta.

Defendant claims 39 and 40 further define the invention as set out in Claim 9.

It is respectfully submitted that all of the Examiner's rejections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 92807-010400 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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